

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27(b)(1) SMALL BUSINESS CONCERN)

DOCKET NUMBER: 3127.1000-004

Applicant or Patentee: Izchak I. Rubinstein and Daniel L. Randall
 Application or Patent No.: 10/021,268
 Filed or Issued: December 7, 2001
 Title: SYSTEM AND METHOD OF DYNAMIC KEY GENERATION FOR DIGITAL COMMUNICATIONS

I hereby state that I am

- ☐ the owner of the small business concern identified below;
☒ an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF SMALL BUSINESS CONCERN The KeyGen Corporation
 ADDRESS OF SMALL BUSINESS CONCERN 400 Bedford Street, Suite 300
Manchester, New Hampshire 03101

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 400 Third Street, SW, Washington, DC 20416 or you may call 202-205-6618.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1), or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(d)(2))

NAME OF PERSON SIGNING Charles Morgan

TITLE OF PERSON IF OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 400 Bedford Street, Suite 300, Manchester, New Hampshire 03101

SIGNATURE Charles Morgan DATE April 12, 2002

MODMAN/ODMAN/MANAGE;231501;1



DOCKET NO. 3127,1000-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYSTEM AND METHOD OF DYNAMIC KEY GENERATION FOR DIGITAL
COMMUNICATIONS

the specification of which (check one)

[] is attached hereto.

[X] was filed on December 7, 2001 as United States Application

Number or PCT International Application No. 10/021,268

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

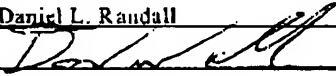
I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority</u>	<u>Certified</u>	
			<u>Not</u>	<u>Copy Filed?</u>	
			<u>Claimed</u>	<u>YES</u>	<u>NO</u>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole
or first inventor Itzhak I. Rubinstein
Inventor's Signature _____ Date _____
Residence 90 Dean Drive
Tenafly, New Jersey 07670
Citizenship Israel
Mailing Address same as above

Full name of second joint
inventor, if any Daniel L. Randall
Inventor's Signature  Date 14 Apr 2002
Residence 10 Avon Avenue
Dover, New Hampshire 03820-2904
Citizenship USA
Mailing Address same as above

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Declaration for Patent Application☐ Supplemental (37 C.F.R. §1.67)

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<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
(Number)	(Country)	(Day/Month/Year filed)		YES	NO
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

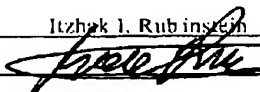
-2-

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Itzhak I. Rubinstein

Inventor's Signature



Date

4/12/2002

Residence

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Citizenship

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Mailing Address

same as above

Full name of second joint

inventor, if any Daniel L. Randall

Inventor's Signature

Date

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Citizenship

USA

Mailing Address

same as above

::ODM AMH ODM AvManage:280336;1